

Remarks

The Office Action dated October 1, 2004 has been received and duly noted.

Claims 1-3 and 18-20 were rejected as being anticipated by U.S. Patent 3,817,281. Claim 1 as originally filed recited a subsea receptacle housing having a latching surface at an upper end of the receptacle housing. The Examiner contends that the term "upper" is relative, and that 69 in the '281 patent is considered upper. Applicant disagrees with this position, since the term "upper" when referring to the subsea receptacle housing is clearly referring to an upper portion or upper end of a receptacle housing, as compared to the lower portion or lower end. Also, the couplers in '281 are not supported on a lower mounting plate, as recited in Claim 1.

Claim 1 has been amended to recite that the control pod has a pod housing defining a chamber therein, and that the latching surface at the upper end of the receptacle housing is above the pod chamber when the coupling components are mated. This combination, as disclosed in the specification at page 9, commencing at line 30, allows the latchdown operation to be readily visible by an ROV so that high reliability of the latchdown operation may be assured. This is clearly not possible according to the cited reference, since the latch is below the control pod and thus is not readily visible when the coupling components are mated. As indicated at page 11, commencing at line 12, the receptacle housing with the locking surface near the upper end allows a camera on an ROV to assure the operator that the pod is properly positioned before locking the pod to the tree. The prior art does not teach the problem solved by Claim 1. Applicant submits that Claim 1 as well as Claims 2-14 are patentable over the '281 patent.

Claims 15-17 were considered allowable by the Examiner.

Claims 18-20 were also rejected on the basis of U.S. Patent 3,817,281, and have been amended in a manner similar to Claim 1. As amended, Claim 18 recites a plurality of gripping members positioned along the periphery of the control pod for selective engagement and disengagement with the receptacle housing above the upper pod member which defines a pod chamber below the pod member when the control pod is landed in the subsea oilfield structure. For reasons discussed above, Applicant submits that amended Claim 18 is patentably distinguishable from the prior art.

The Examiner indicated that Claim 24 would be allowable if written in independent form. Independent Claim 21 has been amended to include the features previously set forth in Claim 24, and thus amended Claim 21 as well as dependent Claims 22, 23, 25 and 26 should be in condition for allowance. Claim 23 has been amended in view of the amendments to Claim 21. The dependency of Claim 25 has been amended, and the recitation to the sleeve has been amended in view of Claim 21.

Claims 1, 2, 11, 21, 22 and 26 were also rejected as being unpatentable over U.S. Patent 3,551,005 in view of U.S. Patent 4,223,920. As amended, Claim 1 is distinguishable from Brun '005 since the subsea receptacle housing in the '005 patent does not have a latching surface at the upper end of the receptacle housing above the pod chamber when the coupling components are mated. To the contrary, the latching surface of Brun is not above the control pod chamber, as shown in Figure 2. This deficiency is not cured by the '920 patent, wherein the coupler components are not supported on a lower mounting plate, and the latching surface is provided below the control pod.

Regarding Claim 26, U.S. Patent 4,435,055 discloses gripping arms and

gripping dogs used to secure a tension leg platform. The anchor connector as disclosed in the '055 patent cannot reasonably be combined with U.S. Patent 3,551,055 without the benefit of hindsight. The '055 patent does not include either a control pod or coupler components as recited in Claim 1, and is thus directed to nonanalogous art. Item 40 is a latch carrier, not a control pod. The disclosure in neither reference suggests the combination made by the Examiner, and the latch arms of '055 cannot be reasonably substituted for the retractable legs 32 of '005.

In view of the above, early allowance of the application is requested.

Respectfully submitted,

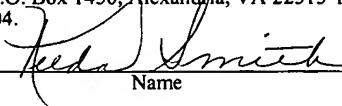


Loren G. Helmreich
Reg. No. 29,389

Date: October 27, 2004
BROWNING BUSHMAN
5718 Westheimer, Suite 1800
Houston, Texas 77057
Tel: (713) 266-5593
Fax : (713) 266-5169

CERTIFICATE OF MAILING

I certify that this document and fee is being deposited with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, Mail Stop: Preliminary Amendments, P.O. Box 1450, Alexandria, VA 22313-1450 on October 27, 2004.

By: 
Name